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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/694,582	
	Filing Date	10/27/2003	
	First Named Inventor	Sandro David Klein	
	Art Unit	2875	
	Examiner Name	not assigned	
Total Number of Pages in This Submission	7	Attorney Docket Number	81230.98US1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	- Forms PTO/SB/08A & 08B
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	- copy of literature document
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	- return postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Customer Number 34018 Gary R. Jarosik Reg. No. 35,906
Signature	
Date	February 19, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Typed or printed name	Ranni Matar		
Signature		Date	Feb. 19, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Klein et al. )  
Serial No.: 10/694,582 ) Examiner: not assigned  
Filed: 10/27/2003 ) Group Art Unit: 2875  
Title: CONTROLLING DEVICE HAVING ) Docket No.: 81230.98US1  
A DEVICE MODE STATE TOGGLE )  
FEATURE )

**INFORMATION DISCLOSURE STATEMENT (37 CFR §1.97(b)(3))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, pursuant to 37 C.F.R. §1.56, the items of information listed on the enclosed Forms PTO/SB/08a and 08B are brought to the attention of the Examiner.

This statement should be considered because it is submitted, pursuant to 37 C.F.R. §1.97(b)(3), before the mailing of a first Office action; therefore, no fee is required.

Pursuant to the Pre-OG Notice posted at the U.S. Patent and Trademark Office website dated 07/11/2003, copies of the U.S. patents listed on Form PTO/SB/08a are not required because the above-identified patent application was filed after June 30, 2003.

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Certificate of Mailing: The undersigned hereby certifies that this document and its enclosures are being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19th day of February, 2004.

By: Ranni Matar  
Name: Ranni Matar

Pursuant to 37 C.F.R. §1.98(a)(2)(ii) a copy of each publication listed on Form PTO/SB/08B is enclosed herewith.

In accordance with 37 C.F.R. §1.104, no representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103 and Applicant reserves the right, pursuant to 37 C.F.R. §1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant does not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of MPEP 609, it is requested that the Examiner return a copy of the attached Forms PTO/SB/08a and 08B, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Date: February 19, 2004

By: 

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[illegible]Date  
Considered

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